

***UNITED STATES DISTRICT COURT***  
***SOUTHERN DISTRICT OF OHIO***

**JUDGMENT IN CIVIL CASE**

**PAUL DANIELS, JR.,**

**Plaintiff,**

**v.**

**Civil Action 2:10-cv-00968**

**Judge Algenon L. Marbley**

**Magistrate Judge E.A. Preston Deavers**

**JOHN DOE LISATH, *et al.*,**

**Defendants.**

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the July 13, 2011 Opinion and Order, the Court **ADOPTED** the Report and Recommendation, **OVERRULED** Plaintiff's Objections. In addition, the Court **DENIED AS MOOT** Plaintiff's Motion to Appoint Counsel (ECF No. 2) and **DENIED** Plaintiff's Motion to Amend as futile (ECF No. 16). Accordingly, the Court **DISMISSES** this action for failure to state a claim upon which relief can be granted under 28 U.S.C. §§ 1915(e)(2) and 1915A.

Date: **July 13, 2011**

**James Bonini, Clerk**

s/Betty L. Clark

Betty L. Clark/Deputy Clerk